

A TRUE COPY ATTEST

Clerk's Office

Date: 3/28/2024

Filed Date: 3/28/2024

BRENNA B. MAHONEY, CLERK OF COURT

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
BROOKLYN OFFICE

By: *Alisha Francis*, Deputy Clerk

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: ORAL PHENYLEPHRINE MARKETING AND
SALES PRACTICES LITIGATION**

MDL No. 3089

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -7)

On December 6, 2023, the Panel transferred 8 civil action(s) to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* _F.Supp.3d_ (J.P.M.L. 2023). Since that time, 78 additional action(s) have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Brian M. Cogan.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Cogan.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of December 6, 2023, and, with the consent of that court, assigned to the Honorable Brian M. Cogan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Tiffany D. Pete
Clerk of the Panel

**IN RE: ORAL PHENYLEPHRINE MARKETING AND
SALES PRACTICES LITIGATION**

MDL No. 3089

SCHEDULE CTO-7 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
ILLINOIS NORTHERN			
ILN	1	24-01412	Boswell v. Walgreens Boots Alliance, Inc. et al 1:24-cv-02272

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: ORAL PHENYLEPHRINE MARKETING AND
SALES PRACTICES LITIGATION**


Boswell v. Walgreens Boots Alliance, Inc. et al.,)	
N.D. Illinois, C.A. No. 1:24-01412)	MDL No. 3089

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (*Boswell*) on March 5, 2024. Prior to expiration of that order's 7-day stay of transmittal, plaintiff *Boswell* filed a notice of opposition to the proposed transfer order. Plaintiff has withdrawn the notice of opposition to the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-7" filed on March 5, 2024, is LIFTED. This action is transferred to the Eastern District of New York for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Brian M. Cogan.

FOR THE PANEL:



Tiffany D. Pete
Clerk of the Panel